

## REMARKS / ARGUMENTS

### Introduction

The present Amendment is in response to the Examiner's Office Action mailed April 15, 2005. Claims 1, 6, 12, and 20 are amended. Claims 1-24 are now pending in view of the above amendments.

Please note that the following remarks are not intended to be an exhaustive enumeration of the distinctions between any cited references and the claimed invention. Rather, the distinctions identified and discussed below are presented solely by way of example to illustrate some of the differences between the claimed invention and the cited references. In addition, Applicants request that the Examiner carefully review any references discussed below to ensure that Applicants understanding and discussion of the references, if any, is consistent with the Examiner's understanding. Reconsideration of the application is respectfully requested in view of the above amendments to the claims and the following remarks. For the Examiner's convenience and reference, Applicant's remarks are presented in the order in which the corresponding issues were raised in the Office Action.

### Examiner's Interview

Applicant's express their appreciation to the Examiner for conducting an interview with Applicant's representative on August 17, 2005. This response includes the substance of the interview.

### Rejections Under 35 U.S.C. § 102

The Office Action rejected claims 1-24 under 35 U.S.C. § 102(b) as being anticipated by United States Patent No. 6,229,325 (*Browning*). Anticipation requires that "[a] claim is

anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). The following discussion illustrates that *Browning* does not satisfy *Verdegaal* with respect to claims 1-24. More particularly, because *Browning* does not teach or suggest each and every limitation of claim the claims 1-24 as set forth in those claims, *Browning* does not anticipate any of the claim 1-24.

*Browning* teaches a method and apparatus for continual monitoring of the electrical and optical performance of one or more field emission display devices while the devices are burned-in. *See* abstract. Each display device on the burn-in board is associated with a photodiode. *See* col. 5, lines 25-27. In *Browning* each display device typically includes many emitters. *Browning* teaches, for example, that the luminescent level of the produced light is dependent upon the magnitude of the current flow to the emitters. *See* col. 2, lines 6-7. *Browning* further states that "field emission displays in elementary form include a generally planar substrate having an array of integral projecting emitters . . ." *See* col. 1, lines 53-55. In addition, Figure 3 illustrates the circuitry and signals for a single display connected by way of a carrier on a burn-in board. In Figure 3, an FED 31 (which includes many emitters as indicated above) is associated with a photodiode 34. *See* Figure 3 and col. 5, lines 35-40.

The photodiode taught by *Browning* and illustrated in Figure 3, for example, is for the purpose of measuring the average luminance produced by a display device during its operation. *See* col. 5, lines 25-28 and lines 35-45. Because the photodiode is measuring the average

luminance of a display device, there photodiode does not measure the luminance of each of the emitters in the display individually.

In contrast, claim 1 as amended requires an optical detector assembly mounted to said support structure. The optical detector assembly includes a plurality of optical detectors and each optical detector is aligned with one of the optoelectronic devices supported in a burn-in rack. The optical detectors can therefore detect an optical output of each of the optoelectronic devices during the testing. As discussed at the interview, *Browning* the photodiode only measures the average luminance of an entire display device. As agreed at the interview, claim 1 overcomes the cited art and is in condition for allowance. Claims 2-5 depend from claim 1 and overcome the art for at least the same reasons and are in condition for allowance.

Claim 6 has been similarly amended and, as agreed at the interview, also overcomes the cited art. Claims 7-11 depend from claim 6 and overcome the cited art for at least the same reasons. Claims 6-11 are therefore in condition for allowance.

Claim 12 has been amended to require means for detecting one or more optical signal output characteristics of each of said plurality of optoelectronic devices. As discussed above, the means for detecting can detect optical signal output characteristics for each optoelectronic device. In contrast, *Browning* only teaches measuring an average luminescence produced by the display device. For at least this reason and those discussed above, claim 12 overcomes the cited art. Claims 13-19 depend from claim 12 and overcome the art for at least the same reasons.

Claim 20 has been amended to require a step for mounting a burn-in rack having a plurality of optoelectronic devices to a test apparatus having an array of optical detectors such that each optical detector is aligned with a particular optoelectronic device. Claim 20 further

requires a step for measuring the optical power output of each optoelectronic device using a corresponding optical detector aligned with each optoelectronic device. Claim 20 therefore aligns each optical detector with a particular optoelectronic device and measures the optical power output of each optoelectronic device, in contrast to *Browning*, which teaches measuring an average luminescence of the display device with a photodiode. For at least the reasons discussed above claim 20 overcomes the cited art and is in condition for allowance. Similarly, claims 21-24 are not taught or anticipated by *Browning* for at least the same reasons.

### Conclusion

In view of the foregoing, and consistent with the agreement reached during the Examiner Interview, Applicants believe the claims as amended are in allowable form. In the event that the Examiner finds remaining impediment to a prompt allowance of this application that may be clarified through a telephone interview, or which may be overcome by an Examiner's Amendment, the Examiner is requested to contact the undersigned attorney.

Dated this 9<sup>th</sup> day of September, 2005.

Respectfully submitted,



CARL T. REED  
Registration No. 45,454  
Attorney for Applicant  
Customer No. 022913  
Telephone: (801) 533-9800

CTR/tat/mrl  
W:\15436\247.5.1\TAT0000001255V001.doc